

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
22	PRPB officers shall use force in accordance with the rights, privileges, and immunities secured or protected by the Constitution or laws of the United States and the Commonwealth of Puerto Rico, and shall prohibit the use of unreasonable force. PRPB shall develop policies and procedures that enable officers to rely primarily on non-force techniques to effectively police; use force only when necessary; and de-escalate the use of force at the earliest possible moment.	Compliance will be determined on two separate, but inter-dependent bases: (1) the implementation of Paragraphs 23-57, and (2) the results of outcome assessments, pursuant to Paragraph 243.		Bi-annually	
23	PRPB shall develop a comprehensive and agency-wide use of force policy that complies with applicable law and comports with generally accepted policing practices. The comprehensive use of force policy shall categorize all reportable uses of force into multiple levels, grouped by degree of seriousness, and shall include all force techniques, technologies, and weapons, both lethal and less-lethal, that are available to PRPD officers, including officers assigned to specialized tactical units. The comprehensive use of force policy shall clearly define and describe each force level option and the circumstances under which each force level is appropriate. The highest level of	1. Content analysis of use of force policies to determine whether they incorporate the requirements of Paragraphs 22-24. Training will be assessed as part of the compliance review of Section H. Implementation will be assessed as part of the compliance reviews of Sections D-G.	1. Policies incorporate all of the requirements of Paragraphs 22-24. See UOF Policy Worksheet #1.	Annually	

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
	force described by the policy shall include all serious uses of force, as defined in this Agreement.				
24	PRPB shall develop comprehensive and agency-wide policies that comply with applicable law and comport with generally accepted policing practices concerning the use of: (a) lethal force; (b) firearms; (c) canines; (d) ECWs; (e) chemical agents; (f) less lethal munitions; (g) batons and impact weapons; and (h) any other force technology, weapon, or implement authorized by PRPB during the life of this Agreement. PRPB shall also develop a policy on sharing information with the public regarding serious uses of force and the dissemination of information to family members of civilians involved in a use of force incident.	<p>1. Content analysis of use of force policies to determine whether they incorporate the requirements of Paragraphs 22-24.</p> <p>Training will be assessed as part of the compliance review of Section H.</p> <p>Implementation will be assessed as part of the compliance reviews of Sections D-G.</p>	1. Policies incorporate all of the requirements of Paragraphs 22-24. See UOF Policy Worksheet #1.	Annually	
25	PRPB shall continue to prohibit the use of Chloroacetophenone (commonly referred to as "CN gas").	<p>1. Content analysis of policies on chemical agents to determine whether they incorporate the requirements of this particular paragraph.</p> <p>2. Unannounced and random site visits* to SWAT and DOT armories at least once every six</p>	<p>1. Policy prohibits use of CN gas.</p> <p>2. No supply of CN gas is identified in armories or other locations through unannounced site visits.</p>	Bi-annually	

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
		<p>months in all Police Areas to inspect inventory and assess the supply of CN gas.</p> <p>3. Document review, at least every six months of a random sample* of inspection reports to determine whether any supplies of CN gas are identified.</p> <p>4. Document review at least every six months of a random sample* of chemical agents deployed by STUs to determine whether CN gas is used.</p>	<p>3. No supply of CN gas is identified in armories or other locations through inspections.</p> <p>4. CN gas is never used by STUs.</p>		
26	PRPB shall maintain an accurate, current list of officers who successfully qualify with their regulation firearm, including any other firearm that officers are authorized to use or carry. Officers who fail to re-qualify shall be relieved of police powers and immediately relinquish all firearms, including personal firearms. Those officers who fail to re-qualify after remedial training within a reasonable time shall be subject to disciplinary action.	<p>1. Content analysis of policies on firearms and training to determine whether they incorporate the requirements of the paragraph.</p> <p>2. Document review at least once every six months of a random sample* of personnel files to determine whether officers on the</p>	<p>1. Policies incorporate all of the requirements of the paragraph.</p> <p>2. All officers on the qualification list are qualified and certified on the use of firearms in accordance with policy.</p>	Bi-annually	IST; this paragraph may be assessed with Paragraph 54.

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
		<p>qualification list are qualified and certified in the use of firearms as required by policies.</p> <p>3. Document review, at least once every six months to determine whether officers who fail to qualify after re-test on the same day are relieved of operational duty, disarmed of all authorized firearms (including personal firearms), and summoned for re-training as required by policies.</p> <p>4. Document review at least once every six months to determine whether unqualified officers attend firearm re-training and are re-assessed. Determine whether officers who fail to qualify after re-training remain relieved of operational duty, disarmed of all authorized firearms (including personal firearms), and are referred</p>	<p>3. All officers who fail the qualification re-test on the same day are relieved of operational duty, disarmed, and summoned for re-training before leaving the Academy.</p> <p>4. All officers who fail to qualify after re-training remain relieved of operational duty, remain disarmed, and are referred for disciplinary action.</p> <p>5. All officers are disciplined for failing to qualify after re-training or have a valid justification for not qualifying in accordance with policy.</p> <p>6. All officers with more than one regulation firearm are qualified in all authorized firearms.</p>		

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
		<p>for disciplinary action as required by policies.</p> <p>5. Document review, at least once every six months to evaluate the resolution of referrals for disciplinary action when officers fail to qualify after re-training.</p> <p>6. Document review at least once every six months, of a random sample* of officers who are authorized to carry more than one regulation firearm to determine whether officers are qualified in all authorized firearms.</p>			
27	PRPB shall develop policies on the use of force by members of specialized tactical units (“STUs”). This policy shall be consistent with PRPB’s agency-wide use of force policy.	<p>1. Content analysis of use of force policies involving STUs to determine whether they incorporate the requirements of the paragraph.</p> <p>2. Content analysis of use of force training involving STUs to evaluate quality</p>	<p>1. Policies incorporate all of the requirements of the paragraph. See UOF Policy Worksheet #1.</p> <p>2. All use of force training involving STUs is consistent with approved policies.</p>	Bi-annually	

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
		<p>and content in accordance with approved policies.</p> <p>3. Document review, at least every six months to determine whether STU officers are trained and certified in use of force policies involving STUs. Review a random sample* of personnel files to determine whether certifications validate training records.</p> <p>4. Document review, at least every six months of a random sample* of uses of force by STU officers to determine whether the uses of force are within policy.</p>	<p>3. 95% of officers are trained and certified in all use of force policies involving STUs (or scheduled for training, in the case of mid-year reviews)</p> <p>4. 95% of uses of force by STU officers are within policy.</p>		
28	PRPB shall prohibit STUs from conducting general patrol and policing functions. PRPB may temporarily reassign individual members of STUs to general patrol and policing functions, as necessary.	<p>1. Content analysis of STU policies to determine whether they incorporate the requirements of the paragraph.</p> <p>2. Content analysis of training for STUs to evaluate quality and content</p>	<p>1. Policies incorporate all requirements of the paragraph.</p> <p>2. Training involving STUs is consistent with approved policies.</p>	Bi-annually	

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
		<p>in accordance with approved policies.</p> <p>3. Document review at least every six months to determine whether STU officers are trained and certified on STU policies. Review a random sample* of personnel files to determine whether certifications validate training records.</p> <p>4. Data analysis at least every six months to determine the frequency of STU deployments/activations for general patrol and policing functions compared to other law enforcement activities; the justification for using STUs for general patrol and policing functions; and the frequency of individual STU officer assignments to general patrol and policing functions. As part of the data analysis, determine if appropriate data is being collected and assess</p>	<p>3. 95% of STU officers are trained and certified in STU policies (or scheduled for training, in the case of mid-year reviews).</p> <p>4. Presentation of data on STU deployments and activations.</p> <p>5. 95% of all STU deployments/activations for general patrol and policing functions are justified within policy.</p> <p>6. 95% of all assignments of individual STU officers to general patrol and policing functions are justified and carried out within policy.</p>		

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
		<p>methodology employed by PRPB in validating data.</p> <p>5. Document review, at least every six months of a random sample of STU deployments/activations to determine whether STUs used for general patrol and policing functions are justified as required by policy.</p> <p>6. Document review, at least every six months of a random sample* of individual STU officers assigned to general patrol and policing functions to determine whether the assignments are justified and carried out as required by policy.</p>			
29	PRPB shall develop eligibility criteria and selection devices for assignment to STUs that emphasize demonstrated capacity to carry out the mission of STU in a constitutional manner. Officers assigned to STUs who are unable to maintain eligibility shall be removed from STUs.	1. Content analysis of policies to determine whether they incorporate the requirements of the paragraph.	1. Policies incorporate all of the requirements of the paragraph.	Annually	Staffing

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
	Assignments to STUs shall be for a determined period, as specified by PRPB policy, unless there are extenuating circumstances that justify an extended assignment.	<p>2. Content analysis of training for evaluation boards to evaluate quality and content in accordance with approved policies.</p> <p>3. Document review at least annually to determine whether evaluation boards are trained and certified on the STU selection process. Review a random sample* of personnel files to determine whether certifications validate training records.</p> <p>4. Document review at least annually to determine whether a random sample of 20% of officers assigned to STU meet eligibility criteria as required by policy.</p> <p>5. Document review at least annually to determine whether officers assigned to STUs who do not maintain eligibility are removed from STUs as required by policy. Review a random sample* of training records and</p>	<p>2. Training for evaluation boards is consistent with approved policies.</p> <p>3. 95% of evaluation board members are trained.</p> <p>4. All officers selected to STUs meet eligibility requirements.</p> <p>5. All officers assigned to STUs who do not maintain eligibility are removed from STUs.</p> <p>6. 95% of all extensions of STU assignments are justified as extenuating circumstances within policy.</p>		

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
		<p>personnel files of current STU members to determine whether they meet eligibility requirements as required by policy.</p> <p>6. Document review, at least annually of officers assigned to STUs for longer than prescribed periods to determine whether extensions are justified as required by policy.</p>			
30	<p>PRPB shall require STUs to document in writing all law enforcement activities to include operational plans and after-action reports prepared in consistent formats for all call-outs and deployments. Supervisors shall review the law enforcement activities of STUs periodically to ensure compliance with applicable laws and PRPB policies and procedures.</p>	<p>1. Content analysis of policies to determine whether they incorporate the requirements of the paragraph.</p> <p>2. Content analysis of training involving STUs to evaluate quality and content in accordance with approved policies.</p> <p>3. Document review, at least every six months of a random sample* of all law enforcement activities of STUs to determine whether</p>	<p>1. Policies incorporate all of the requirements of the paragraph. See STU Worksheet #2.</p> <p>2. Training for STUs is consistent with approved policies.</p> <p>3. 95% of law enforcement activities by STUs, including deployments and activations, are documented within</p>	Bi-annually	

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
		<p>the activities are documented as required by policy.</p> <p>4. Document review, at least every six months of a random sample* of law enforcement activities of STUs to determine whether the activities are reviewed by supervisors as required by policy.</p>	<p>policy. See STU Worksheet #2.</p> <p>4. 95% of law enforcement activities by STUs, including deployments and activations, are reviewed by supervisors.</p>		
31	<p>PRPB shall track the number of STU deployments, the reason for each activation and deployment of STU, the legal authority, including type of warrant, if any, for each activation and deployment of STU, and the result of each activation and deployment of STU, including: (a) the approximate location of the STU deployment; (b) the number of arrests made; (c) the type of evidence or property seized; (d) whether a forcible entry was made; (e) whether force was used by an STU member or other officer; and (f) whether a person was injured or killed by an STU member.</p>	<p>1. Content analysis to determine whether the tracking system accounts for all elements in the paragraph and the outcome measures required by Paragraph 243.</p> <p>2. Document review, at least every six months to determine whether the tracking system is current and accurate based on a random sample* of deployment/activation records, use of force reports, arrest reports, and crowd control records.</p>	<p>1. The STU tracking system accounts for all elements in the paragraph and outcome measures as required by Paragraph 243.</p> <p>2. The STU tracking system is accurate and current; all deployments are tracked.</p>	Bi-annually	IST

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
32	PRPB shall develop crowd control and incident management policies that comply with applicable law and comport with generally accepted policing practices.	<p>1. Content analysis of policies to determine whether they incorporate the requirements of the paragraph.</p> <p>2. Content analysis of crowd control and incident management training to evaluate quality and content in accordance with approved policies.</p> <p>3. Document review, at least every six months to determine whether: (a) all STU officers are trained and certified in crowd control; (b) all supervisors are trained and certified in incident management; and (c) all officers are trained and certified in basic crowd control. Review a random sample* of personnel files to determine whether certifications validate training records.</p>	<p>1. Policies incorporate all of the requirements of the paragraph. See Crowd Control Worksheet #3.</p> <p>2. Training on crowd control and incident management is consistent with approved policies.</p> <p>3. 95% of STU officers, supervisors, and other officers are trained and certified in crowd control (or scheduled for training, in the case of mid-year reviews); 95% of all supervisors are trained in incident management (or scheduled for training, in the case of mid-year reviews).</p>	Bi-annually	

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

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		<p>4. Document review, at least every six months of a random sample* of unplanned events involving crowds to determine whether the police response complied with policies on incident management and crowd control.</p> <p>5. Document review, at least every six months of a random sample* of planned events involving crowds to determine whether the police response complied with policies on incident management and crowd control.</p> <p>6. Document review, at least every six months of STU supervisor inspection reports involving STU armories to determine whether less lethal weapons and ammunition are controlled and maintained as required by policy.</p>	<p>4. 95% of police responses to unplanned events are within policy.</p> <p>5. 95% of police responses to planned events are within policy.</p> <p>6. 95% of armories inspected by STU supervisors indicate that less lethal weapons and ammunition are controlled and maintained in accordance with policy.</p> <p>7. 95% of armories indicate that less lethal weapons and ammunition are controlled and maintained in accordance with policy.</p>		

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

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		7. Site visit, at least once every six months, to a random sample* of STU armories to determine whether the less lethal weapons and ammunition are controlled and maintained as required by policy.			
33	The incident management policy shall provide that a ranking officer or other higher-level PRPB official at the scene of a mass demonstration, civil disturbance, or other crowd situation assume command and control and provide approval prior to deploying force as a crowd dispersal technique.	This Paragraph will be assessed with Paragraph 32.			
34	The crowd control policy shall require the use of crowd control techniques and tactics that respect protected speech and the right to lawful assembly.	This Paragraph will be assessed with Paragraph 32.			
35	PRPB policy shall require the assessment of law enforcement activities following each response to a mass demonstration, civil disturbance, or other crowd situation to ensure compliance with applicable laws and PRPB policies and procedures.	This Paragraph will be assessed with Paragraph 32.			

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
36	PRPB shall develop a Use of Force Reporting Policy and Use of Force Report Form that comply with applicable law and comport with generally accepted policing practices. The Use of Force Reporting Policy will require officers to notify their immediate supervisor following any use of force, prisoner injury, or allegation of excessive force. In cases involving a serious use of force, notification will be within one-hour, absent exigent circumstances.	<p>1. Content analysis of policies and related forms to determine whether they incorporate the requirements of the paragraph.</p> <p>2. Content analysis of training on force reporting to evaluate quality and content in accordance with approved policies.</p> <p>3. Document review, at least every six months to determine whether officers are trained and certified in the force reporting policies. Review a random sample* of personnel files to determine whether certifications validate training records.</p> <p>4. Document review at least every six months of a random sample* of use of force incidents to determine whether officers report use of force as required by policy.</p>	<p>1. Policies and forms incorporate all of the requirements of the paragraph. See Force Reporting Worksheet #4.</p> <p>2. Training on force reporting is consistent with approved policies.</p> <p>3. 95% of officers are trained and certified in force reporting policies (or are scheduled for training, in the case of mid-year reviews)</p> <p>4a. 95% of use of force incidents are notified to immediate supervisors or adequately justified as an exigent circumstance in accordance with policy.</p> <p>4b. 95% of use of force reports are completed within prescribed periods and are</p>	Bi-annually	IST

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
			<p>documented in accordance with policy.</p> <p>4c. All failures to report use of force are referred to SARP for investigation.</p> <p>4d. 95% of requests for medical services in connection with a use of force are within policy.</p> <p>4e. 95% of force incidents where a civilian is transported to a medical facility indicate that the officer notified the vehicle mileage and that the mileage was recorded. Mileage discrepancies are identified and addressed by supervisors as required by policy.</p> <p>4f. 95% of all use of force reports are submitted to supervisors and SARP within</p>		

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
			prescribed time frames as required by policy. 4g. All use of force reports are stored and maintained by SARP as required by policy.		
37	The Use of Force Reporting Policy shall require all officers to report any use of force in writing in a Use of Force Report Form before the end of the shift. The Use of Force Report shall include: (a) a detailed account of the incident from the officer's perspective; (b) the reason for the initial police presence; (c) a specific description of the acts that led to the use of force, including the subject(s)' behavior; (d) the level of resistance encountered; and (e) a description of every type of force used. The Use of Force Reporting Policy shall explicitly prohibit the use of boilerplate or conclusory language in all reports documenting use of force. Failure to report a use of force or prisoner injury by a PRPB officer shall subject an officer, including supervisors and commanders, to disciplinary action.	This Paragraph will be assessed with Paragraph 36.			

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
38	PRPB policy shall require officers to request medical services immediately when an individual is injured or complains of injury following a use of force. The policy shall also require officers who transport a civilian to a medical facility for treatment to take the safest and most direct route to the medical facility. The policy shall further require that officers notify the communications command center of the starting and ending mileage on the transporting vehicle.	This Paragraph will be assessed with Paragraph 36.			
39	PRPB's Use of Force Reporting Policy shall require that officers submit copies of Use of Force Reports to their immediate supervisor and to SPR for tracking and analysis. SPR shall maintain master copies of these reports in a central location.	This Paragraph will be assessed with Paragraph 36.			
40	PRPB policy shall specify that the conduct of all force reviews and investigations comply with applicable law and comport with generally accepted policing practices. All force reviews and investigations shall, to the extent reasonably possible, determine whether the officers' conduct was justified and within policy.	1. Content analysis on use of force review and investigation policies to determine whether they incorporate the requirements of the paragraph.	1. The policy incorporates all of the requirements of the policy. See Supervisory Force Review Worksheet #5; FIU Force Investigation Worksheet #6; Shooting Review Worksheet #7.	Annually for policy compliance and bi-annually for training compliance.	

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
		<p>2. Content analysis of training on force reviews and investigations to determine whether the training is consistent with approved policies.</p> <p>3. Document review, at least every six months to determine whether officers are trained and certified in the force review and investigation policies pertinent to the officers' rank or assignment at FIU. Review a random sample* of personnel files to determine whether certifications validate training records. Implementation of the requirements of this paragraph will be assessed with Paragraphs 43-47 for level 1-3 uses of force. Implementation of the requirements of this paragraph will be assessed with Paragraphs 48-52 for level 4 uses of force.</p>	<p>2. Training on force reviews and investigations is consistent with approved policies.</p> <p>3. 95% of officers are trained and certified in force reviews and investigation policies in accordance with their rank or assignment to FIU (or are scheduled for training, in the case of mid-year reviews)</p>		

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
41	PRPB shall be responsible for maintaining a reliable and accurate tracking system on all officers' use of force; all force investigation Units ("FIU"); and all force reviews conducted by Force Review Boards ("FRB") and the Superintendent's Force Review Board ("SFRB"). At least annually, PRPB shall analyze data on officers' use of force to determine significant trends, identify and correct deficiencies revealed by this analysis, and document its findings in a public report.	<p>1. Content analysis to determine whether the tracking system accounts for all of the elements in the paragraph and the outcome measures required by Paragraph 243.</p> <p>2. Document review at least every six months to determine whether the tracking system is current and accurate based on a review of a random sample* of use of force reports, STU deployments/activations, CAD data, arrest reports, administrative complaints, civil lawsuits, criminal charges, and crowd control records.</p> <p>3. Content analysis of annual use of force reports to determine whether they identify significant trends, discuss corrective action, and present supportable findings based on accurate and current data, as required by policy.</p>	<p>1. Tracking system accounts for all of the elements in the paragraph and outcome measures as required by Paragraph 243.</p> <p>2. All uses of force are tracked in the tracking system.</p> <p>3. Annual use of force reports provide meaningful data analysis, identify significant trends, discuss corrective action (if necessary), and present supportable findings based on accurate and current data, as required by policy.</p> <p>4. Records maintained by the Radio Control Center on use of force are consistent with data in the use of force tracking system.</p>	Bi-annually related to the tracking system; annually related to the annual report; and quarterly related to site visits to Radio Control Center.	IST

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
		4. Unannounced and random site visits to the Radio Control Center at least every quarter to determine whether Radio Control Center records are consistent with data in the use of force tracking system.			
42	The quality of force reviews, force investigations, and investigation reviews shall be taken into account in the performance evaluations of the officers performing such investigations and reviews.	This Paragraph will be assessed with Paragraphs 145-146 on Performance Evaluations.			
43	A supervisor shall respond to the scene of a serious use of force or allegation of excessive force involving an officer under his/her command upon notification of the incident.	This Paragraph will be assessed with Paragraphs 48-52.			
44	The supervisor shall conduct a supervisory review of all uses of force, prisoner injuries, or allegations of excessive force, except those incidents involving a serious use of force or force indicating apparent criminal conduct by	1. Content analysis of force review and investigation policies to determine whether they incorporate the	1. Policies incorporate all of the requirements of the paragraph.	Bi-annually	

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
	an officer, which shall be investigated by FIU, SPR, and/or PRDOJ. No supervisor who was involved in the incident, including by participating in, ordering, or authorizing the force being investigated, shall be responsible for the review of the incident.	<p>requirements of the paragraph.</p> <p>2. Content analysis of training on force reviews and investigations for supervisors to determine whether the training is consistent with approved policies.</p> <p>3. Document review, at least every six months to determine whether supervisors are trained and certified in the force review and investigation policies. Review a random sample* of personnel files to determine whether certifications validate training records.</p> <p>4. Document review, at least every six months of a sample of use of force incidents classified as Level 1-3 to determine whether the incidents are reported, reviewed, and investigated by supervisors and</p>	<p>2. Training on force reviews and investigations for supervisors is consistent with approved policies.</p> <p>3. 95% of supervisors are trained and certified in force reviews and investigation policies (or are scheduled for training, in the case of mid-year reviews)</p> <p>4a. 95% of use of force incidents classified as Level 1-3 are reported, reviewed, and investigated by supervisors and commanders within policy. See Supervisory Force Review Worksheet #5.</p> <p>4b. 95% of supervisory force reviews are completed within five business days or have valid justifications for longer periods, based on</p>		

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
		<p>commanders in accordance with policy. Determine whether force reviews and investigations reach reasonably justified conclusions on officers' conduct and recommend disciplinary or corrective action, as necessary, in accordance with policy.</p> <p>5. Document review, at least every six of a sample of use of force incidents classified as Level 2-3 with injuries to determine whether Force Review Boards provide meaningful review and oversight of the force reporting and investigation process as required by policy.</p>	<p>exceptional circumstances.</p> <p>4c. All use of force reviews and investigations by supervisors reach reasonably justified conclusions on officers' conduct and recommend disciplinary or corrective action, as necessary, in accordance with policy. See Supervisory Force Review Worksheet #5.</p> <p>5a. 95% of reviews by Force Review Boards are within policy. See Force Review Board Worksheet #8.</p> <p>5b. The use of force tracking system accounts for all Force Review Board reports and underlying documents.</p>		

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
			5c. Force Review Board determinations and recommendations are tracked and analyzed by SPR.		
45	Supervisors shall complete use of force reviews within 5 business days of receiving the officer's use of force report. The reviewing supervisor shall: (a) determine whether the use of force was consistent with PRPB policy and/or raises any policy or operational concerns; (b) review all Use of Force Reports and ensure that all reports include the information required by this Agreement and PRPB policy; (c) document each use of force review promptly using a Supervisor's Force Review Report; and (d) consider whether there are non-punitive corrective actions or training needs. A higher-ranking officer within the investigating supervisor's chain-of-command shall review the Supervisor's Force Review Report for completeness and conformance with PRPB policy. The reviewing officer shall evaluate the investigating supervisor's conclusions and document whether the reviewing officer concurs, disagrees (with an explanation of	This Paragraph will be assessed with Paragraph 44.			

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
	the disagreement and the alternate conclusion), or defers until further investigation is completed.				
46	A Force Review Board shall evaluate supervisory reviews, including Supervisor's Force Review Reports and reviewing officers' determinations. FRBs shall be composed of command staff from varying assignments. PRPB policies shall specify the conduct and requirements of FRB proceedings to ensure thorough, timely, and objective reviews. PRPB policy shall establish objective criteria that identify the force levels below serious uses of force that shall be reviewed by FRBs. FRBs shall review supervisory review for completeness, evidentiary support, and compliance with PRPB policy. FRB shall document each FRB proceeding, which shall include findings and recommendations to the regional commander. FRB may also return force reviews to supervisors for additional review, as necessary, to ensure thorough and complete reviews. Copies of all Force Review Reports and underlying documents shall be submitted to SPR for tracking and analysis.	This Paragraph will be assessed with Paragraph 44.			

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
47	Whenever a reviewing supervisor, FRB, or other reviewing officer finds evidence of a use of force indicating apparent misconduct or apparent criminal conduct by an officer, he or she shall immediately notify his or her supervisor for referral to the appropriate investigating unit or the PRDOJ. The Superintendent shall be notified of the referral.	This Paragraph will be assessed with Paragraph 44.			
48	PRPB shall ensure that all serious uses of force and allegations of excessive force are investigated fully and fairly by individuals with appropriate expertise, independence, and investigative skills to ensure that uses of force that are contrary to law or policy are identified and appropriately resolved and that policy or operational deficiencies related to the use of force are identified and corrected. To this end, PRPB shall create FIUs to conduct investigations of serious uses of force, uses of force indicating apparent criminal conduct by an officer, uses of force by PRPB personnel of a rank higher than sergeant, or uses of force reassigned to FIU by the Superintendent, his or her designee, SPR, or FRB. PRPB policies shall specify the membership requirements, conduct of investigations, and operational procedures of FIUs	<p>1. Content analysis of Force Investigation Unit and use of force policies to determine whether they incorporate the requirements of the paragraph.</p> <p>2. Content analysis of training for Force Investigation Unit officers to determine whether the training is consistent with approved policies.</p> <p>3. Document review at least every six months to determine whether FIU officers are trained and certified in force review and investigation policies. Review a random sample*</p>	<p>1. Policies incorporate all of the requirements of the paragraph.</p> <p>2. Training for FIU officers is consistent with approved policies.</p> <p>3. 95% of FIU officers are trained and certified in force reporting and investigation policies (or are scheduled for training, in the case of mid-year reviews)</p> <p>4. All officers assigned to FIU meet eligibility requirements.</p>	Bi-annually	Staffing

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
		<p>of personnel files to determine whether certifications validate training records.</p> <p>4. Document review, at least every six months of personnel files to determine whether all officers assigned to FIU meet eligibility criteria as required by policy.</p>			
49	<p>A supervisor responding to a serious use of force or allegation of excessive force shall immediately notify FIU. FIU shall respond to the scene and commence an investigation. FIU may decline to respond to the scene following consultation and approval by the FIU supervisor. Declinations shall be documented in writing.</p>	<p>1. Content analysis of force reporting and investigation policies to determine whether they incorporate the requirements of the paragraph.</p> <p>2. Document review, at least every six months of a randomized stratified sample* of use of force incidents classified as Level 4 to determine whether the incidents are reported, reviewed, and investigated by officers, supervisors, commanders,</p>	<p>1. Policies incorporate all of the requirements of the paragraph.</p> <p>2a. 95% of use of force incidents classified as Level 4 are reported, reviewed, and investigated by officers, supervisors, commanders, and FIU officers within policy. See FIU Force Investigation Worksheet #6; Shooting Review Worksheet #7.</p>	Bi-annually	

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
		<p>and FIU officers in accordance with policy. Determine whether force reviews and investigations reach reasonably justified conclusions on officers' conduct and recommend disciplinary or corrective action, as necessary, in accordance with policy. The sample will include all deaths in custody (related to use of force or not) and all firearm discharges, including discharges at or from a moving vehicle.</p> <p>3. Document review at least every six months of all use of force incidents classified as Level 4 to determine whether the Commissioner's Force Review Board provides meaningful review and oversight of the force reporting and investigation process as required by policy.</p>	<p>2b. 95% of FIU investigations are completed within 45 days of the use of force or have valid justifications for longer periods based on exceptional circumstances.</p> <p>2c. All use of force reviews and investigations by FIU reach reasonably justified conclusions on officers' conduct and recommend disciplinary or corrective action, as necessary, in accordance with policy. See FIU Force Investigation Worksheet #6; Shooting Review Worksheet #7.</p> <p>3a. 95% of reviews by the Commissioner's Force Review Boards are within policy. See Force Review Board Worksheet #8.</p>		

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
			<p>3b. The use of force tracking system includes all Commissioner's Force Review Board reports and underlying documents.</p> <p>3c. Commissioner's Force Review Board determinations and recommendations are tracked and analyzed by SPR.</p>		
50	FIU shall immediately notify and consult with PRDOJ regarding any use of force indicating apparent criminal conduct by an officer. If PRDOJ indicates that it may proceed criminally, or PRPB requests a criminal prosecution, any compelled interview of the subject officers shall be delayed until after consultation with PRDOJ or expressly permitted by the Superintendent. No other part of the investigation shall be held in abeyance unless specifically authorized by the Superintendent in consultation with PRDOJ.	This Paragraph will be assessed with Paragraph 48.			

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
51	FIU shall complete its administrative use of force investigation within 45 days of the use of force, absent exceptional circumstances. At the conclusion of each use of force investigation, FIU shall prepare a report on the investigation and shall forward the report to SFRB for review and to SPR for tracking and analysis.	This Paragraph will be assessed with Paragraph 48.			
52	The Superintendent's Force Review Board shall evaluate all FIU investigations, including FIU reports and determinations. SFRB shall be composed of senior command staff from varying units. PRPB policies shall specify the conduct and requirements of SFRB proceedings to ensure thorough, timely, and objective reviews. SFRB shall review each FIU investigation for completeness, evidentiary support, and compliance with PRPB policy. SFRB shall document each force review proceeding, which shall include findings and recommendations, to the Superintendent. SFRB may also return force investigations to FIU for additional investigation, as necessary, to ensure thorough and complete investigations. Copies of all Force Review Reports completed by SFRB and underlying	This Paragraph will be assessed with Paragraph 48.			

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
	documents shall be submitted to SPR for tracking and analysis.				
53	<p>PRPB shall train all PRPB officers on PRPB's use of force policies. Thereafter, PRPB shall provide all PRPB officers with use of force training at least every two years for the first four years of this Agreement, and annually thereafter. PRPB shall also provide training on use of force as necessary, based on developments in applicable law and PRPB policy. At least annually, PRPB shall assess all use of force policies and training. PRPB's use of force training program shall include the following topics: (a) legal standards for reasonable force; (b) PRPD's use of force policy; (c) scenario-based training and interactive exercises that illustrate proper use of force decision-making; (e) the proper deployment and use of all weapons or technologies, including firearms, batons, chemical agents, and ECWs; (f) threat assessment and de-escalation techniques that encourage officers to make arrests without using force, and instruction that disengagement, area containment, surveillance, waiting out a subject, summoning reinforcements, calling in specialized units, or delaying an arrest</p>	<p>1. Content analysis of training on use of force to evaluate quality and content in accordance with approved policies and the requirements of the paragraph.</p> <p>2. Document review, at least every six months to determine whether officers are trained and certified in use of force. Review a random sample* of personnel files to determine whether certifications validate training records.</p>	<p>1. Training on use of force is consistent with approved policies and the requirements of the paragraph.</p> <p>2. 95% of officers are trained and certified in use of force (or scheduled for training, in the case of mid-year reviews).</p>	Bi-annually	

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
	may be the appropriate response to a situation, even when force would be legally justified; (g) crisis intervention and interacting with people with mental illnesses, including instruction by mental health practitioners and an emphasis on de-escalation strategies; (h) factors to consider in initiating or continuing a foot pursuit; and (i) appropriate training on conflict management.				
54	PRPB shall provide an appropriate firearm training program that: (a) requires officers to complete and satisfactorily pass firearm training and qualify on each firearm the officer is required or authorized to carry on an annual basis; (b) requires cadets, officers in probationary periods, and officers who return from unarmed status or extended leave to complete and satisfactorily pass firearm training and qualify on each firearm the officer is required or authorized to carry before such personnel are permitted to carry and use firearms; (c) incorporates night training, stress training (i.e., training in using a firearm after undergoing physical exertion), and proper use of force decision-making training, including continuous threat assessment techniques, in the annual in-service training program;	<p>1. Content analysis of training on the use of firearms to evaluate quality and content in accordance with approved policies and the requirements of the paragraph.</p> <p>2. Document review, at least every six months to determine whether officers are trained, certified, and qualified on the use of firearms. Review a random sample* of personnel files to determine whether certifications validate training records.</p>	<p>1. Training on the use of firearms is consistent with approved policies and the requirements of the paragraph.</p> <p>2. 100% of officers are trained, certified, and qualified in use of firearms or have a valid justification for not qualifying in accordance with policies.</p>	Bi-annually	

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
	(d) ensures that firearms instructors critically observe students and provide corrective instruction regarding deficient firearm techniques and failure to utilize safe gun handling procedures at all times; and (e) requires comprehensive testing that shows complete understanding of rules, regulations, and skills regarding firearm use.				
55	PRPB shall train all supervisors, FIU members, and command officers on PRPB's use of force policies. Thereafter, PRPB shall provide all supervisors, FIU members, and command officers with training on use of force, force investigations, and force investigation reviews at least annually and, as necessary, based on developments in applicable law and PRPB policy. PRPB's use of force training for supervisors, FIU members, and command officers shall include the following topics: (a) requesting medical services and determining the appropriate use of force reporting levels; (b) identifying and interviewing involved officers, witness personnel, subjects upon whom force was used, and civilian witnesses; (c) ensuring proper collection of evidence; (d) reviewing use of force and supplemental	<p>1. Content analysis of training on use of force, force investigations, and force investigation reviews for supervisors, FIU officers, and commanders to evaluate quality and content in accordance with approved policies and the requirements of the paragraph.</p> <p>2. Document review, at least every six months to determine whether supervisors, FIU officers, and commanders are trained and certified on use of force, force investigations, and force investigation reviews. Review a random</p>	<p>1. Training on the use of force, force investigations, and force investigation reviews is consistent with approved policies and the requirements of the paragraph.</p> <p>2. 95% of supervisors, FIU officers, and commanders are trained and certified in use of force, force investigations, and force investigation reviews (or scheduled for training, in the case of mid-year reviews).</p>	Annually	

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
	reports for completeness, accuracy, and quality, including recognizing boilerplate language and document discrepancies; (e) assessing the legality and appropriateness of a detention and subsequent arrest; (f) legal standards governing the reasonable use of force, including legal standards and requirements for criminal accountability, administrative accountability, and performance improvement related tactics, training, equipment, and policy sufficiency; (g) recommending and administering proper discipline and non-punitive corrective action related to use of force; and (h) report writing.	sample* of personnel files to determine whether certifications validate training records.			
56	PRPB shall develop policies and procedures to improve its response to individuals in behavioral or mental health crisis, and to minimize the use of unnecessary force against such individuals. To achieve this outcome, PRPB shall, in addition to providing all officers with basic training on responding to persons in behavioral or mental health crisis, implement and train a comprehensive first responder Crisis Intervention Team (“CIT”) to develop and maintain specially-trained CIT officers. The CIT shall incorporate the following requirements: (a) The CIT shall develop policies and	1. Content analysis of policies to determine whether they incorporate the requirements of the paragraph. 2. Content analysis of training on basic behavioral health for all officers to evaluate quality and content in accordance with approved policies. Review will determine if the training covers the CIT program.	1. Policies incorporate all of the requirements of the paragraph. 2. Training on basic behavioral health is consistent with approved policies and includes general instruction on the CIT program. 3. 95% of officers are trained and certified in basic behavioral health (or are scheduled for	Bi-annually	Staffing IST

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
	<p>procedures for the transfer of custody or voluntary referral of individuals between PRPB, receiving facilities, and local mental health and social service agencies.</p> <p>(b) The CIT policies and procedures shall require that whenever officers encounter juveniles in mental health crisis that officers refer them to appropriate mental health services located in the community.</p> <p>(c) The CIT officers shall be assigned to field operations units and maintain their standard patrol duties, except when called to respond to potential behavioral or mental health crisis events where the officers may be required to respond outside of their assigned patrol district.</p>	<p>3. Document review, at least every six months, to determine whether officers are trained and certified in basic behavioral health. Review a random sample* of personnel files to determine whether certifications validate training records.</p> <p>4. Content analysis of training on crisis intervention for CIT officers to evaluate quality and content in accordance with approved policies.</p> <p>5. Document review at least every six months to determine whether officers assigned to CIT are trained and certified in crisis intervention. Review personnel files of all CIT officers to determine whether certifications validate training records.</p> <p>6. Document review, at least every six months of personnel files to determine</p>	<p>training, in the case of mid-year reviews)</p> <p>4. Training on crisis intervention for CIT officers is consistent with approved policies.</p> <p>5. 100% of officers assigned to CIT are trained and certified in crisis intervention.</p> <p>6. 100% of all officers assigned to CIT meet eligibility requirements.</p> <p>7. 95% of responses to incidents involving persons in mental health crisis are within policy. See CIT Worksheet #9.</p> <p>8. The incident tracking system tracks all incidents involving persons in mental health crisis and the disposition of the incident. Data analyzed as part of PRPB's annual report on</p>		

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
		<p>whether all officers assigned to CIT meet eligibility criteria as required by policy.</p> <p>7. Document review, at least every six months of a random sample* of incidents involving persons in mental health crisis to determine whether CIT was dispatched and whether the police response was within policy. Review the disposition of the incidents to determine whether officers considered or implemented alternatives to arrest, as required by policy.</p> <p>8. Document review at least every six months of the incident tracking system to determine whether incidents involving persons in mental health crisis are tracked, analyzed for significant trends and corrective action, and used to improve agency</p>	use of force as required by policy.		

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
		and CIT responses to persons in mental health crisis.			
57	PRPB shall train PRPB field operations unit officers in the CIT program and shall ensure that CIT-trained officers are assigned to each shift in each police region. PRPB shall provide crisis intervention training to all dispatchers to enable them to identify calls for service that involve behavioral or mental health crisis events.	<p>Training on the CIT program for field operations officers is evaluated as part of the basic behavioral health training in Paragraph 56.</p> <p>1. Document review, at least every six months of assignment and deployment records for a random sample* of shifts in the San Juan Police Area to determine whether CIT-trained and certified officers are assigned as part of the pilot program required by policy.</p> <p>2. Content analysis of training on crisis intervention for call dispatchers is evaluated for quality and content in accordance with approved policies.</p>	<p>1. 95% of shifts have at least one CIT-trained and certified officer.</p> <p>2. Training on crisis intervention for call dispatchers is consistent with approved policies.</p> <p>3. 95% of call takers are trained and certified in crisis intervention (or are scheduled for training, in the case of mid-year reviews)</p>	Bi-annually	Staffing Component

Office of the Court Monitor
Monitoring Matrix and Methodology on Use of Force

Para.	Agreement Paragraph Text	Data Sources and Evaluation Methods	Compliance Targets/Thresholds	Monitoring Frequency	Staffing or IST
		3. Document review at least every six months to determine whether call dispatchers are trained and certified in crisis intervention. Review a random sample* of personnel files to determine whether certifications validate training records.			

*Denotes a randomized sample obtained through 20% of the population/universe to be studied. Randomization ensures minimization of a sampling error while ensuring equal representation of all variables. Percentages for training compliance will be based on the number of officers who are eligible for training.

Note: when referencing a “content analysis” of training, the monitor may conduct random and unannounced site visits to the Police Academy and/or training sites, which will allow for the review of the training content, delivery of materials, and learning process as a whole. Content analyses of policies and training will be based on applicable law and generally-accepted policing practices.